

HON. BARBARA J. ROTHSTEIN

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

JOSH KLEIN, a California resident; and
COVALENCE CAPITAL FUND I, LP, a
Delaware limited partnership,

Plaintiffs,

v.

DOUGLAS JAE WOO KIM, a New York
resident,

Defendant.

Case No. 2:20-cv-01628-BJR

**STIPULATION TO CONTINUE
TRIAL DATE AND RELATED
DEADLINES, AND ORDER**

I. STIPULATION

Plaintiffs Josh Klein and Covalence Capital Fund I, LP (“plaintiffs”) and defendant Douglas Jae Woo Kim (“defendant”) stipulate to an approximately five-month extension of the March 15, 2022 trial date and related pretrial deadlines.

Plaintiffs’ motion for summary judgment is pending and was fully briefed on December 22, 2021. (ECF No. 72.) The Court’s initial scheduling order provided for approximately four and a half months between the dispositive motions deadline and trial (ECF No. 19), and its Order Renoting Plaintiffs’ Motion for Summary Judgment and Amending Case Schedule (ECF No. 38) set approximately five months between completion of summary judgment briefing and trial. (*Id.* at 3 (response to motion due October 8, 2021, reply due October 22.) After the Court extended defendant’s deadline to oppose plaintiffs’ motion for summary judgment and denied defendant’s

STIPULATION TO CONTINUE TRIAL DATE AND RELATED
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1 motion to stay the case, the Court reset defendant's summary judgment response deadline to
 2 December 8, 2021. (ECF No. 65.) As a result, defendant's response was timely filed on December
 3 8 (as opposed to October 8 as provided in ECF No. 38), and plaintiffs' reply was timely filed on
 4 December 22 (as opposed to October 22 as provided in ECF No. 38). Trial remains set for March
 5 15, 2022.

6 The parties conferred and, after considering existing conflicts, jointly ask the Court and
 7 stipulate to an approximately five month extension of the trial date and related deadlines in order
 8 to provide time between the Court's determination of the pending motion for summary judgment
 9 and the trial. The parties agree that the scope of trial might be informed by the result of the motion
 10 for summary judgment and wish to defer trial preparation prior to a ruling on the motion. The
 11 parties respectfully request that the Court enter an amended scheduling order with the following
 12 dates (subject, of course, to the Court's availability):

13 Motions in Limine due by July 12, 2022

14 Responses to Motions in Limine due by July 26, 2022

15 Joint Pretrial Statement due by August 2, 2022

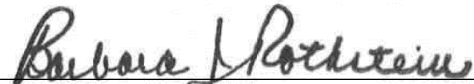
16 Pretrial Conference set for August 9, 2022, at 10:30 a.m. or a time of the Court's
 17 availability

18 Jury Trial is set for August 29, 2022, at 9:00 a.m.

20 II. ORDER

21 Pursuant to stipulation, it is so ordered.

22 DATED this 27th day of January, 2022.

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 24 BARBARA J. ROTHSTEIN
 25 UNITED STATES DISTRICT JUDGE
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